



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

July 2, 2020

VIA ECF

MEMO ENDORSED

The Honorable Laura Taylor Swain
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Francis Guzman Sanchez and Eduardo Garcia*, 20 Cr. 326

Dear Judge Swain:

The Government writes regarding the above-captioned case. On February 12, 2020, the Government charged Francisco Guzman Sanchez (“Sanchez”) and Eduardo Garcia (“Garcia” and, together, the “defendants”) by complaint with one count of participating in a narcotics conspiracy in violation of Title 21, United States Code, Section 846. Garcia was arrested and presented on February 12, 2020 and ordered detained. Sanchez was arrested on February 13, 2020, at which time he was presented and ordered bailed upon satisfaction of certain bail conditions. On February 25, 2020, the grand jury returned an indictment charging the defendants with participating in a narcotics conspiracy. Garcia was arraigned by the Honorable Katharine H. Parker, U.S. Magistrate Judge for the U.S. District Court for the Southern District of New York, on July 1, 2020. At the Government’s request, Judge Parker set a control date of July 10, 2020 and excluded time under the Speedy Trial Act up to the date of that conference. Garcia is scheduled to be arraigned on July 6, 2020 before the Honorable Sarah Netburn, U.S. Magistrate Judge for the U.S. District Court for the Southern District of New York.

The Government now writes to respectfully request that the Court schedule an initial conference in the above-captioned case. Defense counsel do not object to this request. After conferral and consultation with the Court, the parties respectfully propose scheduling an initial conference on July 20, 2020, at 11:30 a.m., or July 22, 2020, at 11:00 a.m. Sanchez requests the ability to participate via videoconference and has the necessary equipment to do so. Defense counsel for Garcia is awaiting an opportunity to consult with Garcia, who is currently incarcerated.

[Continued]

The Government further requests that time be excluded under the Speedy Trial Act through the date of the next conference. The Government has already produced pre-indictment discovery to the parties for their review. Exclusion of time under the Speedy Trial Act will provide the parties sufficient time to further review, consider, and/or discuss discovery, and contemplate pre-trial motions or a potential pre-trial disposition; therefore, the “ends of justice served by the granting of such continuance outweigh the best interests of the public and the defendant in a speedy trial.” 18 U.S.C. § 3161(7)(A). Defense counsel consents to the exclusion of time.


THE APPLICATION IS GRANTED. THE COURT WILL SEEK TO SCHEDULE A TELEPHONIC CONFERENCE FOR JULY 22, 2020, AT 10:30 A.M. A SEPARATE SCHEDULING ORDER WILL BE ISSUED. THE COURT FINDS PURSUANT TO 18 U.S.C. § 3161(h)(7)(A) THAT THE ENDS OF JUSTICE SERVED BY AN EXCLUSION OF THE TIME FROM TODAY’S DATE THROUGH 7/22/20 OUTWEIGH THE BEST INTERESTS OF THE PUBLIC AND THE DEFENDANTS IN A SPEEDY TRIAL FOR THE REASONS STATED ABOVE. DE# 24 RESOLVED. SO ORDERED.

DATED: 7/9/2020

/s/ Laura Taylor Swain, USDJ

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

by: 
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Assistant United States Attorney
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cc: All Counsel (via ECF)